

Remarks

Claims 1, 4 and 5 are pending.

Claim 1 is amended.

Claim 12 is withdrawn.

Claims 4 and 5 are as previously presented.

The application now contains claims 1, 4 and 5 and withdrawn claim 12.

Claim 1 is amended for clarity. The term "anodised aluminum" is deleted from line 7 for being redundant in that particles of anodised aluminum can be components of metal oxide effect pigments or inorganic pigments. Also in line 7, the phrase "and organic or inorganic pigments" is rewritten for additional clarity as "organic pigments and inorganic pigments".

No new matter is added.

Claim Rejections

Claims 1, 4 and 5 are rejected under 35 USC 103(a) as being obvious over Zambounis et. al., US 5,840,449 in view of Schaedeli et.al., US 6,280,511.

Applicants respectfully traverse the rejections.

Zambounis discloses a process for preparing a composition comprising a substrate and a latent pigment; Schaedeli et.al., discloses a process wherein latent pigments are deposited onto or into regularly shaped organic polymer beads.

The present Action concludes that it would have been obvious to use the method of Schaedeli to make the composition of Zambounis.

Applicants respectfully maintain that the composition of Zambounis is not the material produced in the instant invention as the "carrier particles" of the instant invention are not recognizable as the "substrate" Zambounis.

The instant invention prepares coated particles, which coated particles can be used as pigments. Instant claim 1 specifically details that the particles being coated are pigments themselves, i.e., "wherein the carrier particles are selected from the group consisting of metallic, metal oxide, non-metallic or non-metal oxide effect pigments, organic pigments and inorganic pigments". Thus, the instant invention is taking existing pigment particles and converting them into new particles which are also useful as pigments.

Applicants respectfully assert that Zambounis is not coating particles. Rather, as is discussed in Zambounis, for example, column 17 line 47 through the end of column 18 and elsewhere, Zambounis coats a surface of a substrate large enough to, for example, selectively inscribe color patterns by irradiating with a laser. Applicants respectfully direct the Examiner's attention to the fact that all the Examples of Zambounis are exclusively related to relatively "large" substrates, as either 38x26x1 mm glass support (Examples 1 to 5 and 7 to 11), or 50x75x2 mm polycarbonate sheet (Example 6).

The Examiner notes in the present action that Zambounis is silent as to the technique of instant claim 1, i.e., "a) dispersing carrier particles in a solution of a latent pigment, adding the carrier particles to a solution of a latent pigment, or adding a latent pigment to a dispersion of the carrier particles."

Zambounis does however list such steps as "dipping, spraying, printing, curtain coating knife coating or spin coating", column 17, lines 25-26. While these steps are useful in coating a larger surface, they would be useless in coating particles. Applicants find it significant that the processing step missing from the list in Zambounis is dispersing the substrate in a solution (i.e., the process of the instant invention). This is the processing step that would be extremely difficult with a substrate of any significant size. Applicants respectfully offer this as further proof that the coated substrates of Zambounis are not the coated particles of the instant invention.

Zambounis neither suggests the preparation of a coated particle nor teaches a coated material that could function as a pigment. Applicants therefore respectfully submit that one does not arrive at the instant invention by using the method of Schaedeli in preparing the composition of Zambounis.

Applicants therefore kindly ask that the Examiner withdraw the rejections and find claims 1, 4 and 5 allowable.

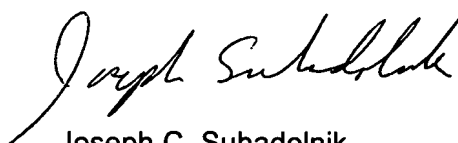
Should the Examiner not agree that the above discussion justifies allowing the present claims, Applicants further note that the microbeads of Schaedeli are made of thermoplastic polymers. As these polymers have properties quite different from the pigment particles used as the carrier in the instant invention, Applicants further respectfully submit that it could not be obvious that the process of Schaedeli would be applicable in preparing the coated inorganic or organic pigment particles of the instant invention.

Again, Applicants kindly ask that the Examiner withdraw the rejections and find claims 1, 4 and 5 allowable.

Upon finding claims 1, 4 and 5 allowable, Applicants further kindly ask that withdrawn claim 12 be rejoined as it relates to the novel particles prepared by the novel method, which is a proper relationship for claims according to PCT practice, and find it also allowable.

In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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